

REMARKS

Independent claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Picco in view of Khoo and Thomas. Independent claim 1 has been amended to indicate that a first subset listing of advertising resources is received at a receiver and that the receiver automatically and selectively compiles a second subset listing from the first subset listing without user intervention, the second subset listing finer tuned to a characteristic of the receiver than the first subset listing. None of Picco, Khoo, or Thomas, alone or in combination, teaches or suggests the same.

For example, the examiner concedes that Picco is silent about obtaining a subset listing of advertising resources and guidelines. *See* Paper No. 20061208 at page 3. While Khoo may receive a customized media list 126 from the server, this list is used to retrieve *all* of the media on the list including customized content and advertisements. *See* paragraphs [0040], [0046], [0049], and [0050]. In fact, while at the server storage 205, the advertisements on the list are sequenced within the customized content in a predetermined order. *See* paragraph [0040]. Therefore, Khoo does not compile a second listing as claimed from which ads are captured for storage. Thomas is not believed to have anything to do with the first and second subset listings of advertising resources of claim 1. Thus, claim 1 and claims dependent thereon are distinguished over the cited art.

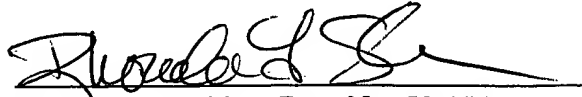
Independent claim 11 was also rejected under 35 U.S.C. § 103(a) as being obvious over Picco in view of Khoo and Thomas. For reasons similar to that outlined above for claim 1, claim 11 is also distinguished over the cited art. In particular, independent claim 11 has been amended to recite selectively choose, without user intervention, an advertising resource from the subset listing based on a characteristic of the receiver. Khoo does not selectively choose an advertising resource from his listing without user intervention. That is, Khoo receives all of the media content on the list, therefore he does not choose one advertising resource from the list while not choosing another; he does not select from the list 126 automatically. *See* paragraph [0050]. Furthermore, any modification of the Khoo's list is done by the user. Thus, claim 11 and claims dependent thereon are distinguished over the cited references.

Under an analysis similar to that of claims 1 and 11, claim 21 and claims dependent thereon are also distinguished over Picco in view of Khoo and Thomas.

In view of the amendments and remarks herein, the application is in condition for allowance. The examiner's prompt action in accordance therewith is requested.

Respectfully submitted,

Date: March 15, 2007

A handwritten signature in black ink, appearing to read 'Rhonda L. Sheldon', written over a horizontal line.

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